

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

KINGMAN HOLDINGS, LLC

Plaintiff,

v.

**BANK OF NEW YORK MELLON, AS
TRUSTEE, *et al.*,**

Defendants.

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Civil Action No. 4:21-cv-920-ALM-KPJ

**MEMORANDUM ADOPTING REPORT AND
RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On March 17, 2022, Plaintiff Kingman Holdings, LLC voluntarily dismissed Defendant Comerica Bank from this case. *See* Dkt. #17. On November 9, 2022, the Magistrate Judge entered proposed findings of fact and recommendations (the “Report”) (Dkt. #24) that the remaining Defendant Bank of New York Mellon, as Trustee’s (“Bank of New York Mellon”) Motion for Summary Judgment (the “Motion) (Dkt. #18) be granted, and Plaintiff’s claims against Defendant be dismissed. *See* Dkt. #24.

Having received the Report of the United States Magistrate Judge, and no timely objections being filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge’s report as the findings and conclusions of the Court.

It is therefore **ORDERED** that Plaintiff’s claims against Bank of New York Mellon are **DISMISSED**.

It is further **ORDERED** that all of Plaintiff's claims in this action are **DISMISSED**.

The Clerk is directed to **CLOSE** this civil action.

SIGNED this 13th day of December, 2022.



AMOS L. MAZZANT
UNITED STATES DISTRICT JUDGE